

TOPICS OF AN OLD-TIMER

Death of Charles Durand, a Patriarch of Ninety-five years, with whom I was long acquainted—Born near Hamilton and Educated at Dundas—Studied Law in Hamilton and Admitted to the Bar in Toronto—Of French Huguenot Descent—A Patriot in '37 and Imprisoned and Exiled for being Friendly to McKenzie—His Interesting Volume of Reminiscences—His Denunciations of the "Family Compact"

I desire in this week's issue to pay a tribute to the memory of an old acquaintance who died in this city on Wednesday, Aug. 16, at the advanced age of 95 years. I mean the late Charles Durand, whom I had known personally for more than fifty years and by reputation longer.

I had heard "Charley" Durand talked about long before I knew who he was. He was a man who had figured when I was a boy, and in the same locality. He was born near Hamilton and it was there I learned the rudiments of the "art preservative." I first saw him in a local printing office as I had seen George Brown, and heard him display his volubility. He saw perilous times and suffered imprisonment and banishment

for bearing a manly part, although he declared to the last that he had taken no part in fomenting the rebellion of 1837, and was therefore wrongly arrested and falsely imprisoned.

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I believe Mr. Durand was the last of the men of '37. Like others, he has left a volume of memoirs. I remember when I was in a Buffalo printing office in 1849, seeing there heaps of unbound books written by persons engaged in the Canadian outbreak of the previous decade, detailing their grievances and sufferings under the so-called Family Compact, and I supposed had not been taken off the printers' hands after being printed; and it was evident that many persons had crossed the borders after the ill-starred enterprise of William Lyon McKenzie. Some put the figure as high as 25,000.

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The late Mr. Durand was a lawyer by profession, a publisher from taste, a temperance advocate from a sense of duty, and a lover of liberty from sentiment. He was a man to make sacrifices for his principles. But I do not think he was altogether free from prejudices and a share of crankery. He published a volume of reminiscences a few years ago which is very interesting to a man like myself, who knew so many of the persons mentioned, the locations described, and the circumstances narrated. I do not think that Mr. Durand cared anything for the Irish and positively disliked the Catholics, although he is not so pronounced in his hostility to the latter as he is to the Church of England people; to the late Bishop Strachan and his followers, whom he seemed to hate with a dead-

ly design, I suppose mostly because the members of the Family Compact largely belonged to that Church. In his memoirs he says when in exile in Chicago in 1840 and later, the Irish there then were very numerous and befriended him and wanted to support him for office; but he declined their services. I do not notice a sympathetic word from him in their favor in the whole of his big and otherwise very interesting book. As a literary undertaking, however, it is exceedingly inartistic; a jumble of statements without regulation or order; a mixture of family incidents, speculative theology, natural history, migrations, misfortunes and farming, as well as politics, temperance and "poetry."

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Mr. Durand's father was of Welsh birth, but like General Roberts, the commander of the British army, is of French descent from the Huguenots, who were banished from France in the sixteenth century, and spread everywhere, including Ireland and

America, and whose descendants have made and are making a big race mark wherever they are found. A literary United States Senator has asserted that French blood has done more for America than any other, without making any particular references.

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His father was named James D. Durand, and was a reformer and inclined to participate in public affairs like his son, and as the latter was known by the diminutive "Charley," so was the father known by the diminutive "Jimmy," and before the forties was much talked about as he was a prominent member of the Upper Canada Parliament, representing the counties of Wentworth and Halton, lying on the south and north sides of Burlington Bay and including Hamilton. The father's family, after coming to Canada, first settled in the Bay of Quinte district, then went to or near Dundas for a while, then Norfolk county, and afterwards Ancaster and Hamilton. The subject of this sketch was born on a farm belonging to a man named Mills, near Dundas, where he first went to school. The details of Mr. Durand's earlier life as told in this book, read like romance to me. How many now know that Dundas and Ancaster are older places than Hamilton, and that they had newspapers when Hamilton had none; yet this is the fact. One of the first poems written in Upper Canada was entitled "Hamilton," the author of which was an Irishman named Stevenson. I remember reading a copy of it some sixty years ago, and it contained many local hits, one of which described how some parties tried "by hook or by crook" to get the gaol located in Flamboro

West. This, of course, had reference to the Crooks family, that was so influential in that part of the country in those days. Mr. Durand's father first bought the farm that gave Hamilton its name and on which the town was started, and afterwards sold it to George Hamilton. If he had retained it the "Ambitious City" might now be named Durand! I knew a number of the Hamiltons — George, Peter, Josey and others. They were a Scotch family that settled early in the Niagara District. Most of the earliest settlers of Hamilton, however, were Pennsylvania Dutch farmers, who left streaks of settlements in Ohio, Indiana and Illinois in those days, as well as Upper Canada. I remember many of their names: Aikmans, Hesses, Sphans, Rymals, etc. Nearly all the farmers on the "Mountain" at first were Pennsylvania Dutch, who stopped there on the way of the immigration to Waterloo county.

One of the earliest families in Hamilton mentioned by Mr. Durand in his book was the Mills family. There were three brothers of them that I knew, and one named "Mike" that had died. Mr. Durand's father occupied a large farm that had belonged to a Mills that left the province and went to the States at the breaking out of the war of 1812. The brother of the Hon. Samuel Mills named "Mike" was suspected of being a rebel sympathizer, although Mr. Durand says they were all loyal. Samuel Mills was a large property owner, but did not command much respect, although Mr. Hincks made a Legislative Councillor of him, and made his brother John Collector of

Customs at the port of Hamilton. Samuel Mills was a very small man in more ways than one and was a very exacting landlord. I believe he was murdered by a butcher in a fit of anger over house rent.

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The most important Catholic family in Toronto and the County of Essex in early days was the Paby family. I knew some members of it. I believe the late Capt. McNamara, a Waterloo soldier, who resided in Toronto, was married to a Baby. Mr. Durand describes the sad death of a member of this family in Dundas by suicide in the year 1832, as follows:

"In Dundas there was no cemetery before 1835. Old Mr. Leslie's body was buried on the hill overlooking the town to the south as you go to Hamilton, and other bodies were buried before that. One I will name. It was a poor, unfortunate young man named Baby, belonging to a very respectable French family of Amherstburgh, who for some cause which I do not know, foolishly committed suicide by taking laudanum, when I as a law student was boarding at the old wooden hotel of George Carey of Hamilton. His sad death had a very depressing effect upon me and others. He appeared to be a very fine young man, of noble physique and in the prime days of life. Drs. Rolph of Dundas and Merrick of Hamilton were called in to render any assistance."

Elsewhere he alludes to the late ex-sheriff of the Gore district, Allan McDonnell, as follows: "Ex-Sheriff Angus (Allan) McDonnell, formerly of Hamilton, in early times there, took up the cause of the Indians and remonstrated with the Canadian Government. We moderns are not more careful of the dust of our dead than the ancient Israelites or the Greeks, Romans or Egyptians were. In the lake regions of the country north of Lakes Huron and Superior I recollect that about thirty years ago the Indians there were about to go to war over their ancestors' graves, which were being desecrated as they alleged." I remember well when Mr. McDonnell was Sheriff at Hamilton and afterwards when he used to make excursions to the northern regions of Canada about Lake Superior, especially Bruce Mines. Angus McDonnell was residing in Hamilton at the same time, but it was Allan who was the sheriff. I think either the Babys or the McDonnells were the first Catholic family to reside in Toronto.

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One of the very curious circumstances that is suggested to me by an item in this book, has reference to Malden township. It remarks: "There is an Indian reserve of a large kind kept up for the Huron Indians. The report was signed by William Caldwell, J. P., chairman." I am wondering if this was the celebrated "Billy" Caldwell, Indian Chief, who cut afterwards a very conspicuous figure in the early history of Chicago. The United States Government gave him the control of the Indians in that locality and they were very obedient to him. His father was an Irish officer and his mother an Indian woman, and he was educated in a Jesuit college in Detroit. The United States Government secured his services for Chicago and he was made the first Justice of the Peace for Northern Illinois, in the early thirties. When the Indians were moved across the Missouri he went with them, and when he died was buried at Council Bluffs. He was a very remarkable character. I know that he was from Essex County in Canada.

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Writing of the lawyers that he knew in Chicago in the early forties, he speaks of "an Irishman named Ryan, who was noisy but smart." Yes, he was more than smart, he was brilliant. He was the publisher of the first newspaper called "The Tribune" and died a few years ago at Madison, Wisconsin, then for many years Chief Justice of the State of Wisconsin.

There are very many things in this volume that interest me, some of which I will take up for remark from time to time for elucidation and comment.

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Mr. Durand was married twice; first shortly before the rebellion, to a Toronto young lady, by whom he had sons and daughters, and again to a Hamilton lady, a brother of whom I was acquainted with, and with whom he also had a family. But like most American and Canadian families, they are widely scattered. He appeared to have been rather bitterly opposed to "popery" and took an active part in the Manitoba school question some years ago. But I understand he leaves a son here in Toronto who is a convert to the Catholic Church. His father was a member of the Church of England, but he was himself a Presbyterian.

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At the time of the rebellion of December, 1837, Mr. Durand was practising law in Hamilton, and came to Toronto on professional business the day of the "rising" and was arrested for treason. Although a friend and sympathizer of Mr. McKenzie, he always denied that he had ever participated in any treasonable practices. In proof that he was guiltless he states that he was accompanied on law business from Hamilton at that time by the two leading lawyers of Hamilton, the late Judge Miles O'Reilly and George S. Tiffany, both of whom I will remember and of whom I was a neighboring lad afterwards. He was incarcerated in the old jail, corner of Court and Toronto streets with many others, some of them as guiltless as himself.

and compelled to endure all kinds of indignities. He secured his liberty on promise that he would leave the country, when he spent a year and a half in Buffalo and several years in Chicago, then little better than a morass. The three notable characters in Chicago in those days were "Long John Wentworth," a raw and hard Yankee young man, who got to be editor of the first paper there, Mayor and Member of Congress, a sort of Whittington; Stephen A. Douglass, a young lawyer, who became leader of the Democratic party of America and the rival of Lincoln; and the young Irishman, Ryan, who became Chief Justice of Wisconsin.

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Mr. Durand, in the middle forties, when Baldwin and Lafontaine were in power, was allowed to return to Canada and made his home in Toronto, where he practised law. He was a great writer of newspaper communications, was a Son of Temperance and published and edited a paper of that name that I will remember. He was active in securing subscriptions to erect and present to Mr. McKenzie a home in Toronto after his return from exile; and in erecting a monument to the memory of Lount and Matthews, martyrs to Canadian freedom, in the Necropolis. Among the papers in Hamilton that he used to contribute to in his younger days were the "Garland," the "Casket" and the "Voyageur," papers that I never heard of before, and which must have been short lived. He also wrote for the Hamilton "Free Press." This was in the early thirties. I knew its publisher, one William Smith, a brother-in-law of Hon. Sam Mills, and a rather worthless personage, who had been engaged in several

doubtful literary ventures. Mr. Durand mentions a very early paper called "The Bee," published by his own father, and in which General Brock published his proclamation calling the Canadians to arms in the war of 1812. The Smith referred to here published a paper called "The Bee" during the forties in Hamilton, but it was very short lived.

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I believe that Mr. Durand had some admirable qualities and was warmly interested in the welfare of his fellow man. He was patriotic, truthful, unselfish, temperate and religious. It may be that he was over-zealous and somewhat cranky. I have great pleasure, however, in perusing his book, the existence of which I was not aware of until a few days ago, on account of my long absence from Toronto.

WILLIAM HALLEY.